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Paper No. 8

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**SEP 3 0 2003**

**OFFICE OF PETITIONS**

In re Application of	:	
Patrick Humbert, Pierre	:	
Ripoche, Joel Landi, and	:	
Jacques Goudeau	:	
Application No. 09/694,057	:	DECISION GRANTING
Filed: August 7, 2000	:	PETITION
Title: APPARATUS FOR SUPPORTING	:	
A PREFORM, AN INSTALLATION FOR	:	
MANUFACTURING OR BUILDING UP A	:	
PREFORM AND PROVIDED WITH SUCH	:	
APPARATUS, METHODS IMPLEMENTED	:	
IN SUCH AN INSTALLATION, AND A	:	
PREFORM MADE USING SUCH METHODS	:	

This is a decision on the "Response to Notice of Incomplete Nonprovisional Application and Petition to Receive Filing Date of August 7, 2000," filed February 14, 2001, which is properly treated as a petition under 37 CFR §1.53(b), requesting that pages one through fourteen (1-14) of the specification be accorded a filing date of August 7, 2000, as part of the original disclosure.

The Office regrets the delay in issuing this decision.

On August 7, 2000, the above-identified application was filed. On January 9, 2001, the Office of Initial Patent Examination (OIPE) mailed a "Notice of Incomplete Nonprovisional Application" (Notice), stating that the application had not been accorded a filing date, as the applicant appeared to have omitted the specification.

On January 28, 2002, petitioner filed a copy of the fourteen (14) page specification, a one (1) page abstract, and a two (2) page declaration. On April 30, 2002, petitioner filed three (3) pages of drawings and a copy of the assignment.

The petition is further accompanied by a postcard receipt, acknowledging receipt of a fourteen (14) page specification, a one (1) page abstract, and 3 sheets of drawings in the United States Patent and Trademark Office (Office) on August 7, 2000. Applicants request that these papers be accorded a filing date of August 7, 2000.

Upon review of the record, the above-mentioned pages have not been located among the application papers. However, the evidence is convincing that these application papers were deposited on August 7, 2000, and were subsequently misplaced in the Office.

Therefore, the application, including the specification, the declaration, the abstract, and the drawings, was complete on filing and entitled to a filing date of August 7, 2000 as part of the original disclosure.

Accordingly, the petition is **GRANTED**.

The Notice mailed January 9, 2001 was sent in error and is hereby **VACATED**. Therefore, no petition fee is necessary. The petition fee of \$130 will be refunded to petitioner's Deposit Account.

The application file is being returned to the Office of Initial Patent Examination for further processing with a filing date of August 7, 2000 as part of the original disclosure, using the specification, abstract, and declaration submitted on January 28, 2002, as well as the drawings and the assignment both filed on April 30, 2002.

Any inquiries related to this decision should be directed to Attorney Paul Shanoski at (703) 305-0011.

  
Beverly Flanagan  
Supervisory Petitions Examiner  
Office of Petitions  
United States Patent and Trademark Office